IMT Nuremberg Archives

H – 818

International Court of Justice

H0818 – 0001

H0818 - 0002

SA Vol. I b English

Gyllkison

Notice.

Not to be published until presented before the tribunal in open court and then only that portion actually submitted as evidence.

Ne pas publier avant présentation devant le tribunal en audience publique et seulement la partie réellement versée au dossier.

Nicht zu veroeffentlichen vor Darlegung vor dem Gericht (Tribunal) in oeffentlicher Sitzung und dann nur jenen Teil, welcher tatsaechlich zur Beweisfuehrung uebermittelt wurde.

Не публиковать до того, как представлено на публичном заседании Трибунала и только ту часть, которая представлена в качестве доказательства.

I certify that none of the documents included herein have been denied by the Tribunal and that this document book has been examined with the prosecution in accordance with the ruling of the Tribunal dated 4 April 1940.

H0818 – 0003

Je certife qu'aucun des documents ci-inclus n'a été contesté par le Tribunal, et que ce livre de documents a été examiné par le Ministére Public suivant les règles du Tribunal, en date du 4 Avril 1940.

Ich bestaetige, dass keine der hierin enthaltenen Dokumente vom Gerichtshof abgelehnt wurden und dass dieses Dokumentenbuch gemeinsam mit der Anklagevertretung durchgesehen wurde, in Uebereinstimmung mit der Entscheidung des Gerichtshofes vom 4. April 1940.

Signature of Counsel

Signature de l'Avocat

Unterschrift des Verteidigers.

[signature]

Vert. d. Org. S.A.

H0818 - 0004

Document Book

Volume I b

No 1
SA - 185

H0818 – 0005

Copy

German Reichsbahn

Reichsbahn Directorate Munich

The President

Munich, the 1938

Subject: Decree of the Reich Minister of Transportation (1 I) of 3 June 1938.

I call attention to the fact that regular employment is open to question if the official cannot prove an activity in the party or in its formations.

H0818-0006
No 2
SA -186

Copy from a Copy

The Reich Minister of Transportation
1 P

Berlin W 8, 3 June 1938
Vosstrasse 35

To the Presidents
of Reichsbahn Directorates etc.

An exceptional case gives me the occasion to point out once more to all officials engaging in training courses for higher posts as well as to the assistants and construction assistants already belonging to the administration, that they should actively cooperate in the party or its formations. Otherwise there is a danger that their regular employment as Reichsbahn counsellors (Reichsbahnrat) may become questionable. I request that the officials be informed accordingly. The above instructions must be noted in the personnel files.

By order
sgdd: Kleinmann

No 3
SA - 188

Excerpt copy from

"The Archives", January 1935 - Page 1536.

In all employment regulations the German Reichspost now requires, that their applicants to be selected from alert young boys and men who have a rigorous training in sport. Moreover, proof of National-Socialist activity in the party or in its formations is also required.

H0818 – 0008

No 4
SA-191

Certified Copy.

To Article 3 of the Reich Ordinance governing Legal Education, paragraph 4.

4. During college years also, the student must not neglect his physical education and must not give up the contact with fellow citizens from other social strata which he gained during his labor service and military service. For it is only in the community that the student can develop the capacities of a leader and prove the fitness of his character.

The training regulations deliberately refrain from prescribing membership for the student in a definite formation. After all, students have first gone through labor service and military service, and have thereby enjoyed a uniform education, they are now to have the opportunity of displaying their particular bents and desires, especially as their energy is to be mainly devoted to study and as they, therefore, have only a limited time available for activity in the national community. In this instance it is naturally understood that they will primarily take up service in the SA, the SS, the NSKK (NS Motor Corps) and the NSFLK (NS Flying Corps). But for instance activity in the party organisation in the Hitler Youth, or in the anti-aircraft defense can also be contemplated.

General guiding principles cannot be established. It can be left to the judicious discretion of the chairmen of the examination offices, to decide in individual cases whether the studentshas satisfied the requirements of this regulation.

Upon request of the student right at the beginning of the university year, the chairmen will inform him as to whether an activity he contemplated can be recognized.

If possible, the student must demonstrate his physical training by earning the SA sport badge; a physically well-gifted student will alsohhave the ambition to acquire the Reich sport badge.

Counter-signed:
Munich, 3 May 1946
sgd. illegible signature
Chief Inspector of Justice

Circular stamp: says:
The Chief State Attorney Munich I

-.-.-.-.-.-.-.-.-.-

Certified: sgd. Georg Boehm
Attorney-at-Law
Defense Counsel for the Organization SA

Nuernberg, 7 May 1946

H0818-0009

Certified Copy

of

Certified Copy.

The "Oberlandesgericht" President

and the

State Attorney General

1050-II, 11478.

To the

"Landesgericht" President

and Chief State Attorneys

of the "Oberlandesgericht" District.

Subject: Activity of the Officials in the Movement.

It is a foregone conclusion that the official, especially now during the war, must, apart from his temporarily increased work, take part to the best of his ability in the party, in its formations, and associated organizations.

. . . . .

We admit that a great number of civil servants are already striving up to the limit of their working capacity, for the party, its formations and associated organizations. For this reason, we wish to take action against the unjustified reproach that civil servants are not cooperating sufficiently in the movement. For this purpose we request you to submit before 1 December 1941 a list of your personnel, drawn up on the following model.

H0818 - 0010

Agency: Total number of personnel . . . of which . . .

in the Wehrmacht . . . . . on civilian duty.

First and last name	Rank	Birthday	Family Status (Single married widower divorced)	Number of Children	Cooperates in: NSDAP, SA, SS NSKK(NS Motor Corps) NSFK(NS Flying Corps) HJ(Hitler Mouth) NS Atherrnbund NSRB(NS Lawyers League) RDB(Civil Servants' League) DAF (German Labor Front) NSV (NS Public Welfare) RLB(Antiaircraft League) DRK(German Red Cross) Tech. Emergency Assistance Reich League of Large Families Reich Colony League NS War Casualties League League of Germans Abroad(VDA) Reich Veterans League NS German Physicians' League NS Antiaircraft League NS League of German Technics BDM (German Girls' League) NS Women's League Reich-Gau-District Orator Specialized Orator. Sport Leagues or others? Where? In what capacity?	Fillout only if there is no coope-ration	Participant in World War and present war.

Certified

Munich, 14 January 1946
LS sgd. Utz
Justice Secretary

Certified

Munich, 28 January 1946

sgd. illegible signature

Chief Inspector of Justice

H0818 - 0011

Certified Copy

The Reich Minister of Justice.
15

65 Wilhelmstrasse,
Berlin W 8.
22 December 1936.
Telephone: A 1 Jaeger 0044

To:
The Oberlandesgerichtspraesident
in M u n i c h .

Subject: Appointment of Personnel.

I had considered to propose that the Court Assessors Dr. Max H o c h l e i n e r and Dr. Michael K u g l e r in Munich as well as the Court Assessor Dr. Werner K r e m e r in Rosenheim be appointed Amtsgerichtsrats (senior judge of a state court with local jurisdiction).

The Deputy of the Fuehrer declared in regard to the appointment of Court Assessor Hochleitner that he could not consent to the appointment because he must raise strong objections against the latter's person. It is not possible for the Highest SA-Command (Oberste SA-Fuehrung) to issue a service certificate for Hochleitner since the latter never reported for service since he became a member in Companies 16 and 15/S 1. The SA Colonel concerned was also unable to give Hochleitner a letter of recommendation as to his qualifications as a party member. Therefore, it was directed that Hochleitner be discharged from the SA for his lack of interest. Accordingly, Hochleitner did not seem to possess in any way the close relationship with the National-Socialist ideology which must absolutely be demanded of a civil service employee of the Third Reich. Besides, according to information received from the Highest SA-Command, Hochleitner has been a member of the SA only since 8 July 1933 and not - as was stated in the personnel and aptitude form - since 8 January 1933.

As regards the proposals concerning Kremer and Kugler the Deputy of the Fuehrer requested that for the time being the appointment of the civil service employees be postponed since in political respect they were extraordinarily indifferent and offered difficulties in evaluating them in a positive sense because of their failure to collaborate in the NSDAP or one of its organizations. It is true that the decision as to whether the civil service employees want to join an organization or affiliated formation of the NSDAP must be left to their free discretion. Yet, the positive expression of one's belief in the National-Socialist state and its tasks will also be revealed by whether a civil service employee is seeking the opportunity for active participation. It must be expected especially of young civil service employees not yet taken over into regular civil service that they proved their belief in the National-Socialist state not only by paying membership dues but also by collaborating in one of the affiliated organizations.

I request that the Court Assessors Hochleitner, Kremer and Kugler be notified of the opinion of the Deputy of the Fuehrer and the suggestion be made to them to work energetically in the NSDAP or in one of its organizations or in an affiliated formation. For the time being their appointments as Amtsgerichtsrats must be deferred.

I request that the vacated Amtsgerichtsrat offices held by Oswald and von Leonrod at the Amtsgericht Munich as well as the one held by Pfister at the Amtsgericht Geisenfeld be administered by assistant judges, if possible by applicant - assessors

H0818 - 0012

if such procedure proves to be necessary.

By order:

(signed) Dr. Nadler

Countersigned:

L.S. (signed) Sebastian

Justice Secretary.

Stamp: The Chief Public Prosecutor

(Oberstaatsanwalt)

Munich I.

Certified:

Munich.

31 January 1946

(signed) illegible signature.

Chief Inspector in the Justice Department.

Nuernberg

29 May 1946

Certified Copy:

(signed) Georg B o e h m

Attorney-at-Law

Defense Counsel for theSA.

H0818-0013

No 9
SA - 196

Partial Copy

from

Administrative Ruling of the Reich Fuehrer SS and Chief of the German Police in the Reich Ministry of Justice of 14 January 1937 - C-Kdo P (la) Sch. 34 c No. 177 III/36

b. Special Regulations

I. Conditions for Employment.

. . . . . .

i) (1) Before joining the Wehrmacht it is necessary to prove membership in the NSDAP or one of its organizations (H.J.,SA, SS, NSKK) or in the Flying Corps Units including the Glider Corps Units of the German Air Sport League (DLV) or possession of the work pass of the Voluntary Labor Service or membership in the regular police.
(2) This condition can be waived if the political reliability of the applicant is certified by a testimonial of the district office (Kreisleitung) of the NSDAP concerned (see number 8 (1)).

No 10
SA - 197

Partial Copy

from the Ministerial Gazette (Ministerialblatt) of the Reich
and Prussian Ministry of the Interior
of 2 February 1944.

Administrative Ruling of the Reich Ministry of the Interior of 6 January 1944 -
I 6476 I/III-6083 A

.....

..... The applicants must prove that they

b) belong to the NSDAP or one of its organizations;

.....

H0818 – 0015

No 12
SA-200

Copy of a copy

The Principal of the Reich Finance School.

Herrsching, 9 Oct. 1936

Subject: SA-Company Reich Finance School,

Uniform System in Herrsching and Ilmenau

A) Incorporation of Teachers into the SA

.....

The teachers who do not yet belong to the SA will be absorbed into the SA, effective immediately. They also will be assigned to the competent battalion, and detailed to the company "Reich Finance School" for duty.

The SA service of the teachers is limited to participation in the daily sports hours, if the teachers have spare time available. In parades, inspections etc., the teachers enter the ranks.

H0818 -0016

SA-201

Copy

Copy from the "Legal Gazette of the Supreme SA-Command" of 5 Oct. 1936 No.1

269. Subject: SA-Company Reich Finance School in Ilmenau. F. 1. 11300

The Reich Finance School in Ilmenau (Thuringia) has received permission to found an SA-company. The company of the Reich Finance School includes all those who attend the school during their 5 month- stay. The training of the company, as run on SA lines, aims/other things at winning the SA sports badge.

SA members, who are called to the Reich Finance School to continue their professional education, are to be given a leave of absence from SA duty by their original unit and are to be transferred for SA-labor service to the company of the Reich Finance School. After completion of the course they are to be transferred back again to their original unit.

Non-SA members will receive a certificate for their period of service in the company of the Reich Finance School and this is to be considered as a probationary period in the event of their subsequent admission into the SA.

The company of the Reich Finance School in Ilmenau will be put under the jurisdiction of the Thuringia group.

Certified: s/ Georg Boehm
Attorney

Nuernberg, 5 June 1946

Defense Counsel for the Organization SA

Copy.

The Chief
of the
Reich Finance School
SA 1050 B

Ilmenau, 5 July 1937.

Subject: SA-Company, Reich Finance School
Letter of 25 June 1937 P 3107/37
(Transfer)

.....

Chief of the SA-Group Thuringia
Weimar
Tiefurter Allee 6

As regards the leaving of SA candidates, at the conference held at the end of March 1937 between Standartenführer Krause and some other leaders of the SA-Group Thuringia and the chief of the administration as well as the acting leader of the SA-company only the establishment of personnel files and of the

H0818-0018

(Continuation of the copy "The Chief of the Reich Finance School")

SA certificate of admission was ordered. These papers were to be sent to the SA-groups concerned at the time of leaving. These forms were forwarded to the SA company on 31st of March.

In the future, transfer certificates and transfer forms will be made out.

H0818 – 0019

Copy

The Chief
of the
Reich Finance School

Ilmenau, 24 November 1937

StA 1050-4/37

Subj.: SA-Candidate Martin Garve, Halle (Saale)
Decree of 25 October 1937 StA 1050 - 22/37

Attached: 1 File of Garve's SA papers
and enclosures 1 - 4.

All young officials (finance students, finance candidates and tax assistants), if they are physically fit, will be incorporated in the SA-company "Reich Finance School Ilmenau". Regular civil servants also, who are already members of party formations (SA, SS, NS Motor Corps, NS Flying Corps) are detai for SA service in Ilmenau. They are detailed for service in the SA company "Reich Finance School" and obtain leave from their original unit. All other regular officials are only admitted into the SA-company at their own request (Decree of 3 July 1937, StA 1005-67/37 - number 3).

The purpose of the company is and was the earning of the SA sport badge. Therefore, as a matter of principle, a physical examination must establish "fitness for earning the SA sport badge".

The possession or earning of the SA or Reich sport badge is the prerequisite for the admission of finance students to the finance candidate examination. For the tax candidates who wish to pass the assistant plant comptroller examination the acquisition of the sport badge has not yet been prescribed. However, by virtue of the orders and speeches of the State Secretary, all young officials must acquire the SA sport badge during the period of the instruction course at the Reich Finance School.

Office of the State Secretary
at the Reich Finance Ministry.
Berlin W 8
Wilhelmplatz 1/2

Tax candidate Garve was incorporated after he had requested to be admitted to the SA company "Reich Finance School". He then acquired the SA sport badge ther and on 7 June 1937 successfully pas[illegible] the assistant plant comptroller examinat with the mention "very good".

For everyone who enters the SA company and takes part in the instruction course, a nominal file is prepared, and it is brought to his notice that on completion of the course he will be transferred to his home-formation and his file will be transmitted at the same time. I do not know why Garve refuses to do any further service in the SA. I assume that he belongs to the Soldier's League and declines to join the SA, too.

According to the Gazette of Decrees of the Supreme SA-Command No. 14 of 5 October 1936 No. 269, paragraph 3, there is obviously a possibility that members of the SA-company "Reich Finance School" can decide for themselves thei "future joining" of the SA. This point of view is also shared by the leader of the SA group Thuringia. During a conversation in March 1937 between the SA group leader of Thuringia and the school director, there was a discussion as to the question of transfer and incorporation of members of the SA company who have been released from the school. For this purpose, the group ordered the preparation of papers-SA admission certificate and nominal file – (Annexes 1 an 2) on 31 March 1937.

H0818 - 0020

(continuation of the copy "The Chief of the Reich Finance School"..)

On 25 June 1937 the order was given for every SA-candidate to receive a transfer certificate on his release from school. (Annex 3). This certificate must be surrendered to the SA-office of the home town, where the SA-candidate reports for service. This office then requests the personnel papers. A transfer form must be attached to the personnel papers (Annex 4). I request that a decision be made as to whether the members of the SA-company "Reich Finance School" are themselves to decide their "future joining" of the SA or whether the transfer to an SA formation has to be effected by the SA-company "Reich Finance School".

In this case I request that the Chief Finance Presidents (Oberfinanzpraesidenten) be informed that in the event of future appointment of tax candidates and finance students they must see to it that those who have to be newly appointed belong to or join an SA formation. Apart from this, when those who have taken part in the school course return, it would be advisable for the Chief Finance Presidents to see that the candidate report immediately again to a formation for service.

sgd. Rogge

- - - - - - - - -

Certified: sgd. Georg Boehm
Attorney-at-Law
Defense Counsel for the SA

Nuernberg, 5 June 1946

No 20

SA- 208

Copy

The Reich Minister of Finance

Berlin W 8, 3 March 1938
Wilhelmplatz 1/2

StA 1050/12/38

Subject: Membership of Young Replacements in the Formations of the SA.

A tax candidate joined the SA company "Reich Finance School" during an instruction course at the Reich Finance School and after having signed the SA admission and enlistment papers, he served for 5 months as an SA candidate in the SA company "Reich Finance School". But after return from the instruction course, he refused to do his SA service in his SA home formation.

I disapprove of his behavior and request that in the future all young replacements who served as SA candidates in the SA company "Reich Finance School", be urged to remain a member or to become a member of the SA of their home town or to take part actively in the NSDAP in some other way.

Young replacements (finance students, finance candidates, finance assessors, tax candidates) who, after their return from the course at the Reich Finance School refuse without good reason active participation in the NSDAP or in one of its formations must be dismissed.

For the Reich Minister:

sign: Reinhardt

Chief Finance President (Oberfinanzpraesident)

Director of the Reich Finance Schools

Certified by Georg Boehm

Attorney-at-Law

Nuernberg, 5 June 1946

Defense Counsel for the SA

H0818-0022

NO 21

SA-212

COPY

SA of the NSDAP
Company "Reich Finance School"
Ilmenau

Ilmenau, 22 December 1933

Letter No. /39

SA of the NSDAP
Group Thuringia

Weimar

Tiefurter Allee 6

Subject: Transfer of Teachers of the Reich Finance School Ilmenau.

For the duration of their membership in the Reich Finance School, the teachers of the Reich Finance School Ilmenau will be taken into the SA, even they formerly belonged to another formation of the party or to the Political Leaders.

When they are transferred - be it to school where no SA company exist. (e.g. to a customs school) or to a finance office-, they often have the desire to join again a formation to which they originally belonged or to be active in the political leadership.

May I ask for a decision as to whether this is possible without the consent of the Group and whether the personnel files must be sent to the other formation or to the political leadership.

The Leader of the SA Company
Reich Finance School Ilmenau
sgd. Rogge
Oberscharfuehrer

H0818 - 0023

No22
SA-213

Copy

SA of the NSDAP

Weimar, January 3, 1940

Tiefurter Allee 6

The Leader of Group Thuringia

Letterbook No. P 2696/39 T/Sch

Subject: Assignment of Teachers

Reference: Yours of Dec. 22,1939

To the

Company Reich Finance School

I l m e n a u

5.) In each case assignments will be made by the Group and therefore the personnel papers and assignment slip must be submitted to the Group. The Group will then take further action.

For

The Fuehrer of Group Thuringia

signed R e u t e r
(Reuter)

Standartenfuehrer

NO 23
SA-215

Partial Copy from "The Archives", April 1935, Page 33

H0818-0024

Apprentices from the Hitler Youth Only.

The management and representatives of the employees of the H u m b o l d - D e u t z - M o t o r s Corp. agreed unanimously to supplement their plant regulations to the effect that in e m p l o y i n g n e w p e o p l e only such fellow citizens should be considered who are members of the G e r m a n L a b o r F r o n t . Moreover, the employment of apprentices will depend in the future on the condition that each youth is an active member of the Hitler Youth.

.-.-.-.-.-.-.

Certified:

Signed: Georg Boehm

Attorney-at-Law

Nuernberg, 29 May 1946

Defense Counsel for the

Organization SA

H0818 - 0025

No 24
SA-216

Copy

State Organization of
Agricultural Workers (Landesbauernschaft) Hanover.
Hanover 28 March 1934
File number No. C.-

Mr. Wilhelm Weymann
Hanover-Linden.

.....

We furthermore make it a condition that you join one of the SA - formations, and submit a certificate to that effect.

Heil Hitler!

The Chief of the State Main Divis
(Landeshauptabteilungsleiter)
signed Groeneveld, State Chairman

Certified to be a true copy of the ori
inal
Hanover, 7 December 1945.

By order:
signed Meier.
(Meier)
Technical Sergeant of Police

Stamp: The Police President
Hanover, 7th District
(1.- Rm. stamp)

(Administrative Fee)

H0818-0026

The Supreme SA-Leader

Berlin, 7 October 193

Copy

Chief of Training Department
St 4187/88/33

Main Groups,

Groups,

Ordered at the Main Groups,

Groups.

The Reich Minister of the Interior decreed with letter I A 5400/26.9. of October 3, 1933, that the auxiliary engineer service of the Technical Emergency Relief be transferred at once to the SA.

. . . . . Chief of Training Department

signed: Krueger
Obergruppenfuehrer

Certified:
signed: Tscharmann
Standartenfuehrer

No 27
SA 220
Defense Exhibit N.

H0818 – 0028

Copy

from a German Newspaper

Spring 1935

Current Events.

As to the question whether expulsion from the SA ranks may be considered as a reason for discharge from work, the regional labor court in Bielefeld has decided in the case of a government employee, that the authorities in question cannot be expected to go on employing the expelled person. Given our contemporary conception of the unity of the movement and state, no one who is justly expelled from a fighting group of the party should remain an official of a municipal community. Naturally, the court should give its own independent judgment of the facts, which led to expulsion from the SA.
(Sentence of 3.4.35 - 3 SA 4/35.)

****

I certify that this document is a true copy of a newspaper article I have at hand, which according to a certified declaration made on oath by a British officer, Charles Diggins Bremen, was cut out of a German newspaper published in the spring of 1935.

Nuernberg, 30 June 1946

sign. Klefisch
Attorney-at-Law

Nuernberg, 12 July 1946

Certified:
signed: Georg Boehm
Attorney-at-Law
Defense Counsel for the
Organization SA.

H0818-0029

SA-221

Excerpt from: "Manual of the SA".

Published with the Approval of the Supreme SA-Command (Main Office of Education).

Publishing House = Offene Worte = Berlin 1939

Page 40:

Withdrawal from the SA.

The Sworn duty to the Fuehrer makes withdrawal from the SA, as from any other association, impossible. Only the subsequent appearance of a physical defect or employment located elsewhere permit withdrawal from the SA.

An honorable discharge from the SA can only take place when the application for the discharge has been presented in writing and when the honorable discharge from the SA has been approved. The manner of discharge from the SA depends on the reason, which gives rise to it.

The dishonorable conduct of an SA member is followed by a punitive discharge from the SA.

(Decree Supreme SA-Command P No.08100 of 9 June 1937 - Distr. III and Decree P. No.08100 of 4 March 1937 Distr.III - Decree Gazet 37,5, number 84; and Decree P.No.08100 of 28 July 1937 - Distr.II - Decree Gazette 37, 11, number 243).

For a decision in cases, when discharge from the SA has to be considered because of the unfitness of a person for office a specia regulation has to be applied. (Decree Supreme SA-Command) P.No. 08100 of 5 March 1937 - Distr.III)

Certified:

Signed: Georg Boehm

Nuernberg,19 July 1946

Attorney-at-Law
Defense Counsel for the
Organization SA

H0818 – 0030

Withdrawal of Employees from the NSDAP

a) Administrative Ruling of the Reich and Prussian Minister of Justice of 27 February 1936 - II SB 6190/1363

(RMBliV, P.275)

The Chief of the Party Chancellery will report the withdrawal of a civil servant from the NSDAP to the highest level of the agency in which he is employed. In each case a thorough examination has to be made as to the grounds on which the employee has withdrawn from the party. If he has done done so because he disapproves of its program or its political attitude, he cannot remain in the Civil Service. But even if this is not the reason, the withdrawal of a civil servant from the party, given the close relations which prevail between party and state leads us to believe, that the civil servant feels no inner attachment to the National-Socialist state or lacks at all events the necessary spirit of sacrifice. He must at least expect then to be excluded from preferential promotions and to be deferred in the case of normal ones.

. . . . . .

A discharge from the party and its formations is for every honorable fellow-countryman so hard a punishment, that only in particularly incriminating cases do I consider it just to deprive him, and possibly his wife and children, too, of their work and bread as well.